

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q90173

Kazumi OKURO, et al

Appln. No.: National Stage of PCT/JP2004/005465

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: October 17, 2005

Examiner: Unknown

For: OPTICALLY ACTIVE 2-ALLYLCARBOXYLIC ACID DERIVATIVE AND PROCESS  
FOR PRODUCING THE SAME

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of an International Search Report in a counterpart application is submitted herewith. The USPTO should receive copies of the references cited in the International Search Report from the International Bureau. Applicant will furnish any missing references upon request.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.


In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP2004/005465 dated August 31, 2004), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 17, 2005

Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if known

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number		National Stage of PCT/JP2004/005465
				Confirmation Number		Unknown
				Filing Date		October 17, 2005
				First Named Inventor		Kazumi OKURO
				Art Unit		Unknown
				Examiner Name		
				Attorney Docket Number		Q90173
Sheet	1	of	1			

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		JP	58-26847	A	02/17/1983	SUMITOMO CHEMICAL CO., LTD.	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		NED A. PORTER, ET AL, "CONTROL OF DISPERSITY AND STEREO CHEMISTRY IN FREE RADICAL TELOMERIZATIONS: A RADICAL ADDITION, CYLIZATION, CHAIN TRANSFER(ACT) STRATEGY", JOURNAL OF THE AMERICAN CHEMICAL SOCIETY, Vol. 116, No. 22, 1994, pages 10255-10266 (compound 19a-d)	
		STIG JOENSSON, ET AL, "ENANTIOMERS OF METHYL-SUBSTITUTED ANALOGS OF (Z)-5-DECENYL ACETATE AS PROBES FOR THE CHIRALITY AND COMPLEMENTARITY OF ITS RECEPTOR IN AGROTIS SEGETUM: SYNTHESIS AND STRUCTURE-ACTIVITY RELATIONSHIPS", JOURNAL OF CHEMICAL ECOLOGY, Vol. 19, No. 3 1993, pages 459-484 (Fig. 2)	
		MARK J. KURTH, ET AL, "ASYMMETRIC INDUCTION IN THE CLAISEN REARRANGEMENT OF N-ALLYLKETENE N, O-ACETALS", JOURNAL OF THE AMERICAN CHEMICAL SOCIETY, Vol. 107, No. 2, 1985, pages 443-448 (compound 11r, 12s)	
		A.V. RAMA RAO, ET AL, "STUDIES ON CYCLO DEPSIPEPTIDES-PART I: A STEREOSELECTIVE SYNTHESIS OF C12 POLYKETIDE UNIT (C1-C8) PRESENT IN JASPAMIDE AND GEODIAMOLIDE A-F", TETRAHEDRON LETTERS, Vol. 34, No. 44, 1993, pages 7081-7084 (compounds 7, 8)	
		KUNIO HIROI, ET AL, "ASYMMETRIC INDUCTION REACTIONS. II. STEREOCHEMICAL STUDIES ON ASYMMETRIC [2, 3] SIGMATROPIC REARRANGEMENTS USING CHIRAL KETENIMINES" CHEMICAL & PHARMACEUTICAL BULLETIN, Vol. 33, No. 11, 1985, pages 4691-4700 (chart-2)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.